

A MEETING OF THE SODDY-DAISY
MUNICIPAL PLANNING COMMISSION
WAS HELD ON WEDNESDAY,
APRIL 8, 2009 AT 12:00 NOON.

MEETING CALLED TO ORDER BY:
CHAIRMAN ORR

MEMBERS PRESENT:
CHAIRMAN ORR
COMMISSIONER HAYES
COMMISSIONER PENNEY
COMMISSIONER RICHIE
COMMISSIONER STOTTLEMIRE
COMMISSIONER STULCE
COMMISSIONER SKILES
REC. SEC. DOLBERRY

The minutes of the meeting held March 11, 2009 were presented and approved as presented.

Chairman Orr noted that the annual training class would be April 14, 2009 at 8:30 a.m. in Collegedale. He asked that the commission notify Recording Secretary Dolberry if they would like to carpool to the class.

Chairman Orr welcomed three new members to the Commission. They are Arnold Stulce, Kyle Stottlemire, and Alan Hayes. He said that he appreciated the service that Frank Mulkey, Allen Miller and Vice-Mayor Bob Privett had given.

Chairman Orr turned the meeting over to Bryan Shults, Hamilton County Regional Planning Agency, for the election of officers. Mr. Shults stated that the current by-laws state that the election of officers will be held by a member of the RPA staff. Mr. Shults opened the floor for nominations for Chairman. Commissioner Richie made a motion to elect Max Orr, Chairman.

1st - Commissioner Richie
2nd - Commissioner Penney
Ayes - Unanimous

Mr. Shults opened the floor for nominations for Vice-Chairman. Commissioner Richie questioned if the City Commission representative could serve as Vice-Chairman. Mr. Shults stated that the City Commission representative could serve in any capacity except that of chairman. Commissioner Richie nominated David Skiles for Vice-Chairman.

1st - Commissioner Richie
2nd - Commissioner Penney
Ayes - Unanimous

Mr. Shults opened the floor for nominations for Secretary. Commissioner Richie nominated Kathleen Penney for Secretary.

1st - Commissioner Richie
2nd - Vice-Chairman Skiles
Ayes - Unanimous

Bryan Shults introduced the newest planner at RPA as Sarah Weeks. He stated that Sarah had been assigned to Soddy-Daisy and would be reviewing zoning cases. Ms. Weeks told the Commission that they could contact her with any questions.

OLD BUSINESS:

FINAL PLAT - 204 & 206 DAISY AVENUE, LOTS 1 & 2, SHEPHERD AND HARPER SUBDIVISION, ROBERT SHEPHERD AND ANSEL HARPER.

Bill Davis, David Matthews Surveying, was present on behalf of the request. He gave the purpose of the plat to move the interior property line. He said that the Health Department had been the reason for the delay in getting this approved. He also noted that the EPB had initially located their easement request, but it was not exact with the field survey. He noted that the correction had been made to the drawings and the EPB had approved the change. He stated that they had faxed their approval to Soddy-Daisy. Commissioner Richie questioned the fence being shown across the property line. Mr. Davis stated that the surveyor cannot correct this because it would be a civil matter.

- 1st - Vice-Chairman Skiles to approve
- 2nd - Commissioner Richie
- Ayes - Unanimous

NEW BUSINESS:

FINAL PLAT - 9835 DAYTON PIKE, SODDY-DAISY CITY HALL, CITY OF SODDY-DAISY.

Jane Copp, Copp Engineering, was present on behalf of the request. She gave the purpose of the plat as combining several lots into one.

- 1st - Commissioner Richie to approve
- 2nd - Vice-Chairman Skiles
- Ayes - Unanimous

FINAL PLAT - 302 BRUMLOW HOLLOW ROAD, LOT 1, BRUMLOW HOLLOW TRACE, JOHN MCDONALD.

Chairman Orr stated that he had overlooked this item on the agenda and that it would be heard at this time. Bill Davis, David Matthews Surveying, was present on behalf of the request. He stated that the owner had purchased two tracts by deed and was creating a buildable lot.

- 1st - Secretary Penney to approve
- 2nd - Vice-Chairman Skiles
- Ayes - Unanimous

FINAL PLAT - 1127 GREEN POND ROAD, LOT 1, POSEY ON GREEN POND SUBDIVISION, JASON POSEY.

Phil Bice, Allen Surveying, was present on behalf of the request. Chairman Orr asked if the setbacks had been noted on the plat. Recording Secretary Dolberry stated that it is noted on the plat.

- 1st - Secretary Penney to approve
- 2nd - Commissioner Richie
- Ayes - Unanimous

Chairman Orr stated that if the Commission was in agreement he would like to hear the zoning ordinance amendment prior to the access request. It was the consensus of the Commission to make this change.

ZONING ORDINANCE AMENDMENT - ARTICLE V, SECTION 105.1.1 RELATIVE TO SINGLE WIDE MOBILE HOME REQUIREMENTS. RECOMMENDATION TO THE CITY COMMISSION.

Chairman Orr read the proposed amendment. He stated that this amendment will allow the City Manager to approve the waiver to the age restriction without having to appear before the City Commission, but in no circumstance can the home exceed 10 years of age and must be the primary residence of the owner.

- 1st - Commissioner Richie to recommend approval to the City Commission
- 2nd - Secretary Penney
- Ayes - Unanimous

ACCESS REQUEST - 9339 DAYTON PIKE, SODDY-DAISY SQUARE SUBDIVISION,
GVH, INC., GREG HURLEY.

E. T. "Bud" Schearer spoke representing GVH, Inc. He gave a short history of the project along Springfield Road and Dayton Pike across from the Wal-Mart. He stated that they are asking for an additional curb cut onto Dayton Pike stating that he thought this had already been approved, but found out it had not. He stated that they cannot move a new tenant in with the curb cut onto Dayton Pike between Springfield Road (proposed) and the Zaxby's Dayton Pike entrance. Chairman Orr stated that the drawings approved by the Planning Commission did not have this curb cut shown. He stated that at the time of approval for the Zaxby's curb cut it was discussed that no further curb cuts would be allowed onto Dayton Pike for this development. Chairman Orr stated the area from Harrison Lane south past the Wal-Mart is a very congested area. He stated that there is currently an access in front of Zaxby's, located approximately half way between the Springfield Road (proposed) and Harrison Lane. He stated that he did not feel additional access onto Dayton Pike is warranted. Mr. Schearer stated that he had a traffic study completed for the area and if the access is not granted it will "kill the deal" with a potential tenant. Alan Ramsey, Ragan Smith and Associates, agreed that a drawing with the additional access had not been submitted. He stated that the traffic study conducted in April 2007 showed the traffic count during peak time as 119 left turns into Wal-Mart for a one hour time period and the most cars stacked was 3 ½ to 4 cars. He stated that the location of the new access has 200 feet of stacking room which will allow 7 to 8 cars maximum. Commissioner Richie stated that if cars stacked in the turn lane inside the curb to existing would allow for 6 cars and if between 4 and 6 p.m. a car is turning left then the traffic will back up through the traffic light. Commissioner Richie questioned as to why Springfield Road (proposed) could not be used for access as there is a traffic light already in place. Alan Ramsey stated that he felt most of the traffic will use the traffic signals because of connections, but that cars will find their way. Commissioner Richie stated that he felt it was not safe to add an additional access point onto Dayton Pike and that he is not in favor of it. Mr. Ramsey stated that he had met with former City Manager Janice Cagle in March of 2006 and the drawings then showed the curb cut and he felt they were proceeding in good faith. Greg Hurley stated that he had proceeded in good faith, but realizes it is too late to express opinions. Mr. Hurley said that he would show meetings where this access had been discussed. Chairman Orr stated the he had never brought this access before the Planning Commission. Mr. Hurley stated that he had signatures of those in attendance. Chairman Orr stated that he doubted that Mr. Hurley had his signature on anything. Mr. Hurley said that he had discussed the drawings with Bill Renfro and Steve Grant and the drawings he showed them in June of 2008 showed the curb cuts and nothing was mentioned about the access. He said he told Taco Bell it would be there. He said that Taco Bell had mandated that they must have the access onto Dayton Pike. Chairman Orr stated that the Planning Commission had not been consulted and he was first aware of the additional access when Mr. Hurley put it in. He said that he had objected to the cut when it was first installed. He said that he does not know what the traffic count says, but there are definite safety issues from Harrison Lane to south of the Wal-Mart. Mr. Hurley stated that he had received an e-mail from Sam Elliott stating that he had to have the deeds completed or we'll sue. Vice-Chairman Skiles stated that he wants the area to develop, realizes there will be congestion, but does have concerns with safety. He said that he feels there will have to be a compromise. Commissioner Stulce questioned why the access was not shown on the plans approved by the Planning Commission. Mr. Hurley stated that they weren't to that stage yet, that the primary concern was with Zaxby's. Chairman Orr questioned why the proposed frontage road could not connect to Springfield Road (proposed). Mr. Hurley stated that it was too far up. Commissioner Stulce stated that there are two access points there now, one at Zaxby's and one at Harrison Lane. He said that he did not understand why the frontage road could not be connected to Springfield Road (proposed). Bill Renfro stated that the Taco Bell would have access at the Zaxby entrance as well as the traffic light at Harrison Lane

and he did not feel this access was needed. He stated that he feels it is too close to the traffic light at Springfield Road (proposed). Mr. Renfro stated that this access point had not been discussed. Alan Ramsey proposed that the access point be a right turn in/right turn out with an island and let the traffic figure out how to get in and out of the development. Commissioner Richie said he felt the access is too close to the light. Mr. Ramsey again proposed a right turn in/right turn out with an island of raised concrete. Commissioner Hayes asked if the frontage road could be extended to Springfield Road (proposed) as that would provide a traffic signal at each end of the development. Vice-Chairman Skiles stated that he felt the right turn in/right turn out would possibly cut the traffic in half. Secretary Penney asked for the staff's recommendation. Public Works Director Renfro stated that he felt the access is too close to the traffic light and even if right turn in/right turn out people will still turn left. Sarah Weeks, RPA, stated that they always trust the traffic engineer's results. Mr. Shults stated that he had not seen the drawings and could not comment at this time. Commissioner Hayes asked if the Commission had seen the traffic study. Chairman Orr stated no. Mr. Ramsey stated that you cannot design for all people in every situation. He said he feels that a right turn in/right turn out with a raised island is a good way to address the safety issues. Chairman Orr called for a motion. Commissioner Stulce made a motion to deny.

- 1st - Commissioner Stulce to deny
- 2nd - Commissioner Richie

On roll call vote Secretary Penney, pass; Commissioner Stottlemire, pass; Commissioner Richie, deny; Commissioner Stulce, deny; Vice-Chairman Skiles, abstain; Commissioner Hayes, pass, Chairman Orr deny.

Mr. Ramsey asked since the motion to deny did not pass, could there be another motion to allow right turn in/right turn out with 6" raised island. Commissioner Stulce asked if an island would be installed at Zaxby's entrance also. Mr. Ramsey stated no, as they had lined the entrance up with the north entrance of Wal-Mart and did not feel Zaxby's would be okay with an island. Vice-Chairman Skiles made a motion to approve the right turn in/right turn out with an island, no left turn in or out.

- 1st - Vice-Chairman Skiles to approve the access with a right turn in/right turn out
with an island
- 2nd - Commissioner Hayes

On roll call vote, Secretary Penney, aye; Commissioner Stottlemire, aye; Commissioner Richie, aye; Commissioner Stulce, nay; Vice-Chairman Skiles, aye; Commissioner Hayes, aye; and Chairman Orr, nay.

ADJOURNED 1:25 P.M.

REC. SEC. DOLBERRY